

REMARKS

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed September 5, 2008.

Claims 1-33 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-33 would be **allowable** if rewritten or amended to overcome the rejections under §112.

In response to these rejections, Claims 1, 27, and 33 have been amended to further clarify the subject matter which Applicant regards as the invention, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments and the arguments presented herein, reconsideration of the Application is respectfully requested.

§112 Rejection

Regarding Claims 1, 27, and 33, Examiner rejects the limitations of “receiving coordinate information from the contacted receiver or proxy,” “receive one or more pixel positions from the wireless network receiver or proxy,” “receiving coordinate information from the first means,” or “receiving RF signal characteristic data” as being indefinite. Examiner notes that in accordance with the specification (page 9, ¶[0124]), the “received coordinate information” represents the coordinate/signal reception of the client on the network site determined and/or recorded by the contacted receiver or proxy.

In response to this rejection, Applicants have amended Claims 1, 27, and 33 to clarify that the coordinate information and the RF signal characteristic data corresponds to clients. Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

Applicant would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: September 9, 2008

/ Lawrence A. Baratta Jr./

Lawrence A. Baratta Jr.

Registration No.: 59,553

Christopher L. Bernard
Registration No.: 48,234

Attorneys for Applicant

Clements | Bernard | Miller
1901 Roxborough Road, Suite 300
Charlotte, North Carolina 28211 USA
Telephone: 704.366.6642
Facsimile: 704.366.9744
lbaratta@worldpatents.com